

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

CR. NO. 20-150(1) (NEB/BRT)

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORY LYNN MCCOY,

Defendant.

**MOTION TO SUPPRESS
EVIDENCE OBTAINED
IN VIOLATION OF THE
FOURTH AMENDMENT**

Defendant, by and through his attorney, moves the Court, pursuant to Rule 12, Federal Rules of Criminal Procedure, for an Order suppressing all physical evidence obtained as a result of a search and/or seizure, because the affidavit supporting the search warrant for the residence on Sheridan Avenue North in Minneapolis was so lacking in probable cause that no reasonable officer could have believed in good faith that the warrant was valid or that it established proper nexus to search the house, and so all evidence discovered as a result, including what was found in the house, what was found in the resulting search of the Dodge Durango, and all other fruit of the poisonous tree, must be suppressed.

This motion is based on the indictment, records, and files in the above-entitled matter, and on any and all other matters that may be presented prior to or at the time of the hearing on this motion.

Respectfully submitted,

Dated: August 24, 2020

/s/ Kevin O'Brien
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Attorney for Defendant